

REMARKS

Favorable reconsideration of this Application as presently amended and in light of the following discussion is respectfully requested.

After entry of the foregoing amendment, Claims 1-8 and 10-20 remain pending in the Application. Claim 9 is canceled without prejudice or disclaimer. Claim 10 has been placed in independent form. Claims 1, 6, 8, 12 and 15 have been amended to address cosmetic matters of form only. New Claims 19 and 20 have been added to recite non-means-plus-function versions of Claims 1 and 15, respectively. No new matter has been added.

By way of summary, the Official Action presents the following issues: Claim 9 stands rejected under 35 U.S.C. § 102; Claims 1-7 and 15-18 stand allowed; and Claims 10-14 are objected to as being dependent upon a rejected base claim.

Applicants appreciatively acknowledge the identification of allowable subject matter. As Claim 9 has been canceled, Applicants respectfully submit that the rejection pertaining to this claim outlined in the paragraph spanning pages 2 – 3 has been rendered moot.

As Claims 10-14 were indicated as containing allowable subject matter, Claim 10 has been rewritten in independent form, incorporating all of the limitation of the base claim and any intervening claim. Thus, Claim 10 and Claims 11-14, which depend directly or indirectly from Claim 10, are believed to be in formal condition for allowance. As Claim 10 has been rewritten in terms of format only, Applicants respectfully submit that this amendment is not a narrowing amendment.¹

¹ This comment is made in view of the Festo and Honeywell decisions, which address limiting the availability of the Doctrine of Equivalents, for narrowing amendments submitted for reasons relating to patentability.

NEW CLAIMS

New Claims 19 and 20 recite substantially the same limitations as allowed Claims 1 and 15, albeit in non-means-plus-function format and are presented here for purposes of securing a different claim scope with respect to the Doctrine of Equivalents. Accordingly, Applicants submit that new Claims 19 and 20 are allowable, at least for the same reasons.

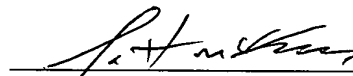
CONCLUSION

If the Examiner believes any additional formal matters need to be addressed in order to place this Application in condition for allowance, the Examiner is respectfully requested to contact the undersigned by telephone at the Examiner's convenience.

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present Application, including Claims 1-8 and 10-20, is in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Scott A. McKeown
Registration No. 42,866